

1648

REJOYNDER

— By way of
Animadversions

UPON
Mr. ASHURST his ANSVVER
TO THE
Agreement of the People.

BY
An unknown Friend, both to him, and
his *Answer*, so farre as stands
WITH
Truth and Safety.

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РЕДИЦЫ
РУССКИЕ

СЛОВА

(1)

THE State of the Kingdome, represented to the people, concerning the King, Parliament, Ar- my, and the whole Land.

In a Rejoyader by way of Animadversions upon the
Answere to the Agreement of the people,

His Answerer tells the Reader that he was unsatisfied with the Peoples Agreement, and met with others that were so too. That the Voluntary and Involuntary secluded Members doe meet, conferre, and agree, is easily believ-ed, to oppose all proposals of Anti-Treators, representing them delinquent, the better to introduce destruction.

But he telus that their meeters are obliged for the good of the Kingdom, and their own good; the former of these I believe to be true, and the latter much more, but some men can disoblige their obligations, make the Covenant speak nothing but the person of the King, and priviledge of Parliament; and in conscience to these, make no conscience of the Kingdomes preservation. How many such obligers have varied from themselves, and their own undertakings, at the beginning of this Parliament, since Bransford fight, and the New Model, which is bound to defend us as well from Civi-lill as Martiall Cayallers, because engendred (for their sakes) by Parliamentary Antiparistesis, for as our Army went forward, our counsels went backward.

This Judicious Answerer layes, that for his part reason and not opposition should end those controversies, an excellent rule if it were possible: What he means by reason here is hard to understand; if the reason of a Treaty, then Doctors doubt his Assertion, and others that love plain dealing as well as he; doc in plain English say, That because they never yet found it in the

King, nor can hope to doe, (his nature being againt it) and because without it, no ground is of peace, and the invention of safety and settlement, therefore they desire the *terms* of a *Treaty* to be no good *medium* to end our controversies; or if by *reason* he mean debates in Parliament, this Answerer hath shewed an Apprentiship at that trade, and hath seen the inexactiousnes thereof ever since Parliament principles, and Parliament debates began to clift, and most of all now last of all, when betwixt sleeping and waking they voted the Kings Confessions to be a ground for settling the Kingdomes peace, for having all along voted them unsatisfactory in part, or last they voted them satisfactory in whole-fale, by stumping a question with the word *Peace* in it, the chief bait to all their hooks. And other reason then this and such like, we have no reason to look for in this Parliament, except purged of a many more then eleven Members, which kind of reasoning hath bewe and fomented all opposition, and therfore not like to end it. A wise Physician acts more by experiance then reading, and in ordering the cure, hath more regard to the nature of the disease then to *Aphaisans*, and rather endeavours the expelling, then reconciling, irreconcileable humours in the body naturall; so in the Body politick, those that will be good Common-wreath men must sometimes be content to be bad Statesmen; and when *reason* hath lost it self in a *mass*, to find the way out by common sense. This worthy Gentleman knowes by his transactions in *Scotland*, and may remember that some controverys will not be ended, nor some controveters satisfied with reason; but the misery of this age is, that even honest men will never be satisfied (the children of this World being wiser in their generation) but by playing an after game, and putting God still to work Miracles, binding up the hands of their friends with *reason*, and leaving the Epemie loose to opposition.

This worthy answerer sayes like himselfe, that free Leves plaine dealing, which he calls a *Jewell*, and at this time, he sayes it is *precious*, or *rare*; I answer this with a story: A Parliament man prayed his neighbour wake him, to speake to such a busynesse, this Gentleman purposing to doe it when it was least to the purpose, bid him now speakes and.

and being told what he was to the busynesse in
hand, sayes, "I am not yett so farre gone by which side
lives the Gentleman ? So I askt this answere, "To which
side plaine dealing is to rare ; whether among Traytors, or
Anti-Treasons ? Those that voted the Kings Concurrence in
ground of peace, (and yett unfauorably of the facture) are
against it : Whether those that speake Englishmen shalles
being Englishmen speake Scotchian, and for our preterision
invite them to an invasion. For all this answere loves
plaine dealing, butt in this expellion he is too much in the
clouds : for one would thinke that he would make the
world believe, the ~~one~~ that was better than the ~~one~~ that is,
and yet his Courteyn men in Lancashire think things bet-
ter as they are, then as they were, and so doe I, and yet they
are ymed.

Wherein as to the civill part lies the ~~grammatical~~ of
the particulars : chiefly in his owne pamphlet or ~~propheta~~
inserted into the Text, in those words (Under King or Hause
of Peeres) though happily that which he affirms may be
the meaning of this ~~grammen~~ : unto two states by in-
avoidable oppession and usurpation appearing inconsistent
with that radicall and third estate of the people, their li-
berty, and property, by the incroachments that have beeне
made thereupon, and that without redresse, when desired
(though granted) by petition of right to the King, messa-
ges and complaint to the Peeres ; yet hathe the King made
warre to void his owne grants ; and frustrate the peoples
just desers, and so will doe still, and both he and the Lords
pertaining to fine, prison, dismember, and personally assault
Commons and Commoners, without any helpe or hope of
redēēy, contrary to the Coronation Oath, Govenant, and
property of their places and offices ; so that seeing an affir-
mative cannot be granted, without a negative incroachment,
nor therewithout an *absolute* pretension : Its time to
claime that originall right and property, which God and
nature hath invested the people with, and that being once
againe resumed to make good their claime, then deedes to
proceede as they for cause, to carue our so other orders such
due

due proportions of honour and power, as may stand with the freedom and safety of the people. And so touching the abolishing this Parliament by creating a Representative (which a Parliament should be) the insinuations, dishonourable proceedings of contradictory variable Voices, arbitrary injustice, and pervariations, falsifying of their trusts, and primitive Principles, and Declarations, &c. in the Majority of it of later times, hath made in scarce have the face of a Parliament, and brought it to such a condition, that either there must be some strange cure, or a fatal mortality of Parliaments, else Representatives: Wee see a precedent in Scotland, *plus p[ro]p[ri]etate* being here as there, *form-mate*, and it fairing with us as with them, the good people must either resolve so stand by the minor part, or fall by the major, there is no meane, no reason will end this opposition, which should make us rather admire Gods providence, then dispeçious infiulence, lets not therefore refuse our own mercies, but take the cup of salvation thankfully at the hands of the Lord, who hath turned wise men backward, and made their wisdom foolishness.

This Answerer in the next place comes to give his reasons of this dissatisfaction. The first whereof in briefe is, Because it proposeth, the people without colour of Law, or Right, shall agree to alter Government, and take away elections, and may be get crosse whetting betwixt people and people, and *jeanne's confusion*. In this case it is with the people as with the Parliament, both in England and Scotland, and in both Houses of Lords and Commons, the minor part being the better, it doth denominate, and though it may bee laid, that one party calling themselves a Parliament now, if the King get the better, a contrary party may then doe so too, yet this makes not void the beeing of a Parliament at present, because another party may chance lay claime to it in the future, so, nor of the people. And if this people so called at present, doe what they doe without colour of Law, the Parliaments acting without colour of Justice, contrary to publick Faith, is the cause thereof, but in case of moulding, or making Governments, the people who are above Law in a collective con-

confederatian : their Reasons are these, and such I will
say, though not all, for I understand, no other Reasons
for peace, at they cannot be named.

Some interformal too before, when the publick may be
more, if where much carryt, then country warrants, and
independents come, the new Town Burgesses to Parliament
shall be privileged, and have some Councils, and have conve-
nable orvans, and being part of the whole, their
rightes in themselves, is preserved in the whole, their
proposition is still the same, though their number be lesse,
leaving still the same Burgesses in quality though not in e-
quality, their full part through bot their full members, nor
doth it follow (as this Antwerre in his reason shewes)
That they may with as much Justice take away any man's life or Estate
as elections from Barons, the one of which being a right
of Priviledge by more municipal law, or political contrac-
tion, the other being a personall proprieity, the right
whereof is grounded upon the lawes naturall and mortall
as well as municipall. The Parliament, which though for
Priviledges, & immunitiess yet may they not take men lives
and Estates (except upon just forfeit) laying in a ratable,
Members of the whole, so neare the People.

His second reason is drawnne from the *wors* inabilitie
of this armrest before the inconveniences of the present Government
have beene discovered and debated, and tryall had beeene made, by
the present untrustworthie Power of remedy. The inconveniences
are more unquestionable then the Power of this present
Parliament, or Parliamentary Government, by Kings,
Lords, and Commons (except taff in a quicke other wrynd)
one striving to get froo another, and all from the People,
who besides their suffrings in oppresion are undone by their
divisions, and divers interests which each labours to up-
hold and increase, no man being able to looke beyond their
differences to see any probable period, or reconciliation,
but the answerer would have a qualification in head of an
alteration, supposing that which is not to be supposed, these

and differences, and
which may be
the best method
to be used in
the way of
redressing them.

But I will now
be more particular. As
we have seen, many difficulties
will march before
the people unquestionable
but power to question it, and then
be questioned by him and every other
person who has a right
to do so. And as
the Act of Settlement
has given the King
power to make laws
for the Kingdom
of England, and
to him and his
successors, and
all others, upon
what conditions
ever he pleases,
to make
royal Charters, and so forth, and
over, following their rights, laying their freedom, and
to make a Query upon, hath been the differentiation of most
few Parliaments, and the great multiplication of most few
Parliament Patrons, the King will yet the conditions are
not obligatory, for that no man can withstand without
out his consent.

Put down this answerer instead of the former which was sent
you before, by conference, among friends like us, and
see if you may not wait for an end, and what result
between we have it? The Lord of the Treasury, Puffin, and
any other they are possessed of, and how he can be had. The
whilst his Excellency is at White-hall, or soon after, the
soberly the present House of Commons only, why that
will come to nothing, to have the first of May last recapitulated,
who have already spoken then more, in their Parliament,
then this Parliament will be the Parliament of the day
by the voice of the people in his former reason. Or incase
hee

bee that the secluded Members shall first bee restored and then
the debate to be by both, or either, what hopes can be had of
such debates but giving time to new designs, commotions, and
invasions, and what hath such debates brought forth after a
seven years Parliament, and six years warre? the restoring the
implacable enemy of all honest men into freedome honour and
safety, and the erecting of a Militia wherein Cavaliers are com-
missioned to protect Round-heads, *Wolves set to keepe Sheep*;

It is true, that a cure by alteration is desperate, difficult, and
dangerous: and it is as true, that so is our condition without it,
this Kingdome betwixt a good and a bad party, in respect of
this present Parliament, being at the best but *pendulous*, hang-
ing between a paire of gold weights, now up, then down, as
grains are added or taken away, to day voting a none-addresse, &
settlement of the Kingdome thereupon, and holding forth
these Votes and their reasons for publicke satisfaction, and as
if they went to make a Tennis-ball of the peoples credulity
and the Kingdomes peace, to morrow unvote both these votes
and give the people no reason, but reason of State, because they
had none else to give.

The answerer findes fault that such an alteration should bee
attempted, *so neccesarily knowne*, what we know by sence we need
not reason to demonstrate, such hazard as the Kingdome hath
run of utter undoing, together with the difficultie, yea, impossibili-
ty of redresse by reason of multiplicity of intereks is reason
sufficient; insomuch as scarce a good reason can be given to
the contrary, for whereas he sayeth, *This Kingdome hath lived
happily under this Government for many hundred years*, to wit,
when men and times were better, King, Peeres and People, all
Englishmen, driving Englands interest, envying with other
nations, not one with another, when Nobility and Gentry
were made such, for their intellectuall, morall, or Martiall
worth and atchivements, when men might be trusted, before
Machivells time, or the order of Jesuites was erected. And
whereas this answerer renders this alteration a *total exclusion*
of *King and Peeres out of Government*, it is true the agreement
seems to import as much, but when the Representatives are
conveened, what they may then finde fit and necessary I will
not

not prejudge, onely say thus much; That the people have reason to make their claime absolute, to justifie their legislative supremacy, and radicall right of Instituting a nationall Government, especially considering how it hath beene strooke at both by King and Lords, by usurpation and encroachment, drawne up into State maximes, and priviledge of Peeres, insomuch as the King nor the house of Lords *can do no wrong*, though the one lye with *Shores wife*, and the other ravish both libertie and property. The reasons this answerer brings from *abroad and home dangers*, which may be the consequences of this alteration, hold as wel against any alteration of this King, and his immediate successors, as against all. But he further objects the *Parliaments own Declarations that they would not alter the Government by King, Lords, and Commons*. If they did declare so much to free themselves of *any designe* in the peoples opinions, as he sayes they did, they are quite of that imputation, when as it comes not from them, to the people; but from the people to them, thinking then that it might *compete* with their trust, and the publicke safety of the people, who they thought desired it, therefore they declared it, but finding the people of another mind, and the things incompatible with those ends, they must walke according to publicke interest, notwithstanding published Declarations, ill manners begets good lawes, and causes new resolutions, the change is not in the Parliament but in the People, whose wrongs enforce it from them: The King and Lords, are the first and greatest innovators. Miscarriages are incident to all kinds of Government, but when they are justified, pleaded for, and persisted in, it is not medicines but corasives must worke the cure. We have beene happy in *Law* though it hath been in *French*, but that's no sufficient reason why they should not now be translated into *English*; The Parliament have declared they will govern by *Law*, but that does not hinder but that they may alter or repeale the Lawes of Government; according to the change of times, and inconsistency of things. If all Declarations had beeene made good, the *Scots* had not been invited, the King Treated, nor the people wronged.

The substance of this reason is, That the Agreement propo-
seth the absolute taking away of Parliaments, which all Englishmen
and

and Christians we are bound to maintain, having sworn it, the rule
of Oaths is so bind *literal*, y^e. This Answerer himself gives a good
restriction to this Obligation, to wit, that as *English-men*, and
as Christians we are bound to maintain Parliaments and their
Priviledges; that is, If Parliaments and their Priviledges bee
imployed aright to the maintaining of Englishmens Interest, the
propagating and dispensing of religion and justice according to
righteouesnesse; for when we swear, we are to swear in *judg-*
ment, that is, to know and discern, as what, so why, or the end
and reason of the Oath we take, so as not to abjur therby such
things as we are immutably bound unto, to wit, our own or
the publike preservation, which the Law of nature ties us to;
and ought not to be beaten by any form of Politick constituti-
on, nor municipall Law in form of an oath. If this *answ^r*
should give a man a sword, and sware never to take it from
him, if with that Sword (presuming upon his Oath mis-under-
stood) the Party to whom he gave it should attempt his life,
he would not think himself forsown by disarming him, yea
and taking away his life to save his owne in his just defence.
As the People have sworn to defend Parliaments so have Par-
liaments to protect the people, yea, the Houses have sworn to
maintain each others priviledges, both which they have noto-
riously broken, if Justice had been, or could be done upon Ca-
pitall Covenant-breakers (which cannot, themselves being
Judges) for falsifying their Declarations, breaking publike
faith, inviting the Scots, and jugling with the Commonwealth
in promoting the Kings Interest; then (if either these things
had never been, or been judicially punished, the people had
been perjured in offering violence to their preservers, but
when Interests Interven, that which is most publike must be
preferred, whilst all can be kept none ought to bee broken, but
when the maintaining of one is the destruction of another,
that binds most which in its own nature is the best and
most momentous: forms of government in Magistrates is
necessary, but the materiallity of it in the people is on-
ly absolute, for this is of Nature, the other of Art, that which
is the product of reaon, reaon may see cause to alter, but
what is of nature is perpetuall, and we have reason to suppose

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the Parliament too wise, & honest to impose an Oath to the contrary. No cogent reason can bee given why Representative of Lords and Commons is not a Parliament without the two Houses, as well as the two Houses without the King, and our Oaths saved in the one as in the other, necessity enforcing.

His fift reason in substance is, That the *agreemente proposand* is forcibly to take away this unquestionable legal Parliament, Without any authority, and to set up a Representative without colour of *legall right*. Not without any authority, for the materiality of authority, is indelibly in the people or body reall, as the formality is in their body representative : Government *in genere* is the Ordinance of God, but *in specie* the Ordinance of man, of his ordination, and consequently subject to his alteration, not lightly, but upon just necessity, in case of its owne degenerating in those properties, and to those ends it was instituted for, when no right of authority is asserted to be in the people, they have so much the more reason to assert this right, from whom, and for whom all authority is, that is justly so called ; but it seems Parl. have out-grown their birth-right, forgot their original, their privileges are turned into prerogatives, and they also are accountable to none but God, nor indeed to him neither, as their prevaricating in the House, and injustice at Committees ere while hath made manifest, respecting personal ingagements above the merit of the cause, having more consideration how to speak, then conscience to doe well. When he stiles this an unquestionable legal Parliament, he greatly condemns himself, if one of the Abletters, but I doubt he meanes it *in sensu composito*, which makes it to be unquestionably questionable. Nor doth this Answerer know what this Parliament which now unquestionably sits, may doe towards the giving him legall satisfaction in dissolving it selfe, and enacting a *Representative*, which is the word of offence, but of most significance ; and had the Parliament been more Representative, they had been less Representative, but being made perpetuall *Diktators*, they forget they are chosen from among the people, who therefore must be Anabaptists and rebaptize them. The danger of a Parliament and Representative both at once, will I hope prove as little as that of two Parliaments, the one at *Westminster*.

Westminster

(1.)

minister, the other at Oxford did not long since; when the people have chosen them, I doubt not but they will stand by them, and every man that carries an English heart, say with faithfull Huske, *Nay but whom the Lord doth prosper, and all the men of Israel about, our will I be, and with him will I abide.* Which is a true Position grounded upon a right principle, though politickly spoken by Huske in that strait: Besides, if this Parliament now sitting dissolve themselves, then is the way legally open to chuse a new, the old being at an end.

The Stress of this Reason lies in this: *That as well all those that have been most faithfull to this Parliament and Kingdome, and hazarded their lives and estates in this cause, if in conscience they cannot subscribe this Agreement, as Delinquents and Papists, shall be debarred electing, or being elected, for the Peoples liberties are incroached upon.* We have had wofull experience of the misery that men of divided minds bring upon this Kingdom, which hath been the cause of lengthening out our miseries & protracting our settlement, because out of the way of some men, though often promised and declared, till their ends could be satisfied, and so the better part, partly tired with the impetuosity of mens spirits, and partly overcome with their sugred oyertures, rather then have no end, content themselves with any end, which this way will probably remedy: And the Maxime in State is, *Better a mischief than an inconvenience,* better some suffer though honest, in matters of *electing*, and being *elected*, then all be undone by those that are dishonest, the Scots lead us a way to it, by the consent and approbation of our English Parliament, there the Mioor part of Parliament and People give Rules of restriction for the next Election: Necessity hath no Law but Safety.

I cannot but differ in judgement from this worthy ~~Answerer~~, that those that cannot subscribe this Agreement, have beeene most faithfull to the Parliament and Kingdome, nor that Parliament and Kingdome, are of late words univercall, many have beeene faithfull to the one, that have beeene false to the other; nor that all that doe not subscribe it, cannot therefore doe it, nor that all that cannot doe it, make conscience of doing it, nor that the peoples liberties

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are hereby infringed, which by abused privilege hath so long suffered, and now is in a faire way speedily to be restored; a sober minde will acquiesce in its owne losse (if his conscience cause it) for a generall good, and blesse God that others can doe that which he cannot, giving that liberty it selfe cannot take, when he sees all ordinary meaneys fail, he thankesfullly submits to extraordinary, and blesseth God for his wise providence & publick instruments, though he be none, is content to share in the benefit, and that God and whom he pleaseth to use, may have the praise. If some stay for all, nothing can goe forward, nor no end can be made, there will be some absceters and dissenters in all collective bodies, some deceivers, and some deceived; and therefore better some honest men secluded, then all hand over head admitted. This Answerers diminutive expression of *the least party in the Kingdome*, tends a little too much to the exciting of the greater, and what the greatest part is, both in Parliament and Kingdome; I thinke I neede not tell him, no more then in the world. And for some to be tyed without their consent or trust is no new thing, nor slavery, except all under freeholders be bondmen: there is no rule of mans making so right, but it does some man wrong; all cases not being able to be comprehended in finite understandings; care and conscience must be had, first to the publick, then to particulars, and where they doe not conuenire, there they must succombe.

This reason is grounded much upon this Answerers scare that this Agreement will put those further asunder that are never like to come together, which he sayes have adhered to the Parliament, better they had not; for they could have done less hurt at Oxford then at Westminster, in so much as the King hath not stuck to say of some that sate there, and adhered to the Parliament, when the war was at highest, that they kept the Crowne on his head, and did him better offices in, then they could do out of the Houses, and therefore they had his royll dispensation as confiding them: Such as these will neither lead nor drive in the way of union (this answerer speaks of) against the commone enemy

for the King and Cavaliers are not enemies to all Parliament men, no more then all Parliament men are enemies to them, it were happy if all enemies were removed, those that are not are the most dangerous, had not common enemies close abettors, they durst not be so common as they are, but when countrey Committees have done their duties in fequenting according to their Oaths, then the Committee of Lords and Commons (especially if Sir George Villiers be out of the chair and most especially if M. Fellen be in, being unsworne by arbitrary prerogative priviledge take them off order their moneyes to be reflored, and so they mable to affront the Parliaments friends, and doe further mischiefe, fearing no Justice whilst an appeal lies to favour and friendship.

The import of this reason is to blast the representative, and all acting by them; for obliging themselfes to make good their owne fundametals, which this Parliament having broken, and lying under the *editio* of it, it is not allowed to others to be more modest; their greatest error therfore is in refusing to be arbitrary and absolute, and to tie themselves up to rule and judgement, wherupon follows that obligation, that they put judgement out of the legal judges hands; whether they put it to or no, no question where authority is originally seated, there also is judgement, not ordinary; to that particular men in particular causes can or may appeal from the authority erected by the people, to the people; but the people themselves may in case of publick and eminent concernment appeal from the corrupted judgement of their Magistrates, to their owne. Thus stood the case betwixt Saul, Jonathan, and the people, 1 Sam. 14. who in conscience to the Letter of his Oath (who other wayes was prophanie enough) would have unjelly, and unnaturally put his owne sonne to death, whom yet the people (though seemingly contrary to their Oath) justly rescued from his fathers (their Kings) sentence, and not only justly, but regularly in a case and cause of that eminency and emergency, where the life and death of so publick a person, and the publick in his persons ha-

ving,

ving been their deliverer, lay at stake. In things obvious and sensible, people will no more walke by an implicit faith in reason then in Religion ; when it concerns their being, and well beings ; it is not laying who shall be Judge ? That will satishe mens mindes, though it may stop their mouths ; it is not all the authority in the world that can make men believe white's black ; that authority that is content to be judged, meanes least to offend. It is true, that no rule can be so layd downe, but inconveniences may occur there-upon ; if the Parliament be lyable to no judgement but their owne, then they may erre as wee all knowe *cum privilegio* ; if lyable to judgement, then people that are apt to erre may misjudge, and so disobey them ; but how ever it is somewhat impolitick to hold out such a position ; yet in reason it cannot be denied but *de jure*, when they are in apparent danger in their being, and well beings, the people are their owne immediate Judges : The municipall Law makes it lawfull for a private person to be his owne Judge in case of assault, when the Law cannot beslead him ; and shall not the publick much more be judge of its owne preservation, when upon the brinke of destruction ? the abuse of a thing in some, does not take away the lawfull use of it in others ; it is not unlawfull to take up armes against a Prince, because some have rebelled in so doing : Rules are still right, though actions are often wrong : States may runne hazard by men ill principled, but *veritas prevalebit*, truth must take place, though men be liars, and must not be denied for fear of after claps : Primitive fundamentals in nature and reason are still the same, and must be upheld, though time and ill manners may build bad superstructions thereupon ; if judgement and authority be not originally in the people, then it is no Heresie to say Kings are *jure divino*, and so responsible to God onely ; for an errore admitted in the foundation puts all out of joyn, and multiplies *ad infinitum*.

I dare not call good evill, nor evill good, and therefore as I dissent from this answerer in the civill proposals of this Agreement of the People, so on the other hand I doe subscribe

to his non-subscription to the Proposals as they relate to religion, in which there seemes to me to be neither reason nor Religion. Being transported with a desire of Liberty, they forget Solomons rule, *Prov. 29:15.* *Ifst thou faint bony, iuste so much as is sufficient for thee.* These Proposals of Religion have a stale of God in them, but not according to knowledge, for give liberty to error, and it will beget licentiousness in erring, some watch Sathan on the left hand, whilst hee tempteth them on the right, of these Propositions tending to such a destructive toleration in fundamentals, I may say as Christ to his two disciples, *ye know not what ye take,* nor is it the Magistrates to give, but still the plea of Christ will ever lie against it, *from the beginning it was not so,* Gods truths must now come down to men, but men must come up to them, the world cannot head though Rulers may, mercy and truth must kisse each other, but both must be distinct & not confounded, for my part I pitie erring consciences, and withall fitting indulgence *de facto* may be used towards them, but like not to make Lawes for them, for that will increase them, and shew too much of Popish dispensations to make unlawfull things lawfull, and which is worst of all, such Toleration by law, makes personall errors to be contemnational sinnes, and then the next is national judgements. The Magistrate ought to be as tender of Truth, as men are of their Consciencies, to buy it of any, but sell it at no rate, no not for conscience sake, which to do is but a charitable impert, and an impious charitey; for to be bound to truth, is the greatest liberty, and to be free from it the greatest slavery.

Whereas this answerer blames the Agreement for not taking care to abet the common enemy, the greatest need to discover secret ones, which by undermining do more mischeife to the nation, then others by storming. These abettors he speaks of, have been our deviders, for by adhering to the Parliament, and yet forsaking their first love and principles, they passe for currant coin because they are excellent counterfeits, and touch well, nothing being able to discerne them but the fire, and so deceives all them that takes all for Gold that glitters.

I hope wee shall bee able to doe for Ireland shortly and not undoe our selves, which hath beeene the great and specious designe hitherto, to cry up Ireland with no good intention to England, but by being strong abroad, to make us weake at home, that the King might come in freedom, honour and safety, and find us so; charity and wisdome begins at home, but wisdome and honestie will take care of both, when the Representative is conveened, I doubt not their care of Ireland, both in point of conscience and concernment, in whom it is to be hoped there will be fewer distractions (I am sure there cannot well bee more) then in this present Parliament, and so the malady removed, the remedy will be the easier, speedier, and probably (with a blessing) more successfull; This Parliament before they rise may trans-ferr their authority of managinge the Irish war to the Representative when it sits.

Scotland hath begun to us in ways extraordinary, and we doe but whats necessary and proper for our preservation in an English, as they for theirs in a Scottish way, which two wayes meet in the end, *publicke preservation*, the principall principle of both nations, and the greatest tye upon both. Safety is to be preferred above order, especially when order by disorderly persons renders us unsafe, who plow with our Heifer, to save themselves and destroy the whole, making the Parliament destructive to it selfe, and all its friends.

This reason hath more of the Serpent then of the Dove, he is willing to forget that *ends destinguishe actions*. The King, he would have destroyed the Parliament to set up himselfe, these to save the Kingdom would lay aside the Parliament, as being become incompatible to make good their first undertakings by their irreconcileable divisions, in respect whereof the Parliament (now being) will doubtlesse think it more then time to lay aside themselves, and by transmigration to be still an old Parliament in a new Representative, that so they may make way for dispatch, which hitherto hath been out of the way, and in the way we were in, is never like to come into it. The Kings demanding the five

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Members because they were patriots; and these excluding them because they were not so; differ in degrees, and so in dissolving the Parliament. If this answerer be an absenter, question is, he acts what here his reasons against pulling down the Parliament by an implicit disclaimer of its present authority, and therefore till he mend for one, let him not find fault with others. But his chief drift in this reason is by a State Sophisme to gul the Souldiers, and to make them to uphold this individuall Parliament to their owne and the Kingdome apparent ruine; for it is they not the Souldiers that are the enemies wife, or give him opportunity to do his owne, it is no wrong to aby man that goes about to make away himselfe, and by so doing to undo himselfe and family, with force to restraine him, to take away his liberty to save his life. The Souldiers are indeed intrusted to preserve the Parliament, but it is because the Parliament is the Kingdome representatively, and chosen by them, to preserve them; which when they falsify they loose their being, which is only relative and representative, no existence in nature but in reason, only for a time, and for such ends as are publicke not personall. The Souldiers need not question their authority for the Parliament stil ownes them (though it may bee the answerer be absenty) and no doubt will provide for them (as they well deserve before they rise, who sit by their rising, and must haue fallen without it.

Shall the King dissolve so many Parliaments from time to time and that against their wills upon his bare word, for destructive ends? and shall not the necessity of the people and the utter inexpediency of this Parliament be reason sufficient for the people to prevail with the Parliament to disolve themselves now they have power, and to make way for another of a more unanimous constitution, and better dispatch as unto publicke settlement and Reformation, being the same in substance, and of far greater advantage to the people; the state of affaires calling on them to seek remedy in an extraordinary, now all ordinary means faile, and this being the most probable, by reducing three Estates into one, and so not having two negatives to oppose one another.

affirmative, nor so many interests to weigh against the party like; and thought Innovations be dangerous, so is our condition without Innovation; a desperate disease must have a desperate remedy, Gods providence leading us into it, I hope will not forsake us in it, but will blesse great undertakings for good ends.

In this reason this Aufwerter shews summarily how inconsistent this agreement is like to prove; a very foundation for their confusion; but he tells us, not how to come out of our old, wherein he sees we are inextricably involved, if this doe not extricate us, nothing probably will, it may be he thinks the Treaty would have ended all, but would not that also have had a foundation for new confusion, that being against the Interest of all honest men, and their Interest against it, the very thing the King and his Cavaliers set up their staffe upon, to be restored and repaired by, and if not that, nor this, what then? we are brought to that passe that we must either have a speedy remedy, or a speedy ruine. All sober minds that look not at themselves but the publike, will be content with it, and as for others whose pride, prejudice, passion, and private Interests sway them, such nothing will content, so that its no staying till all be agreed, difficulties attend all changes, and so they will this, but so the poison must be expell'd by poison to preserve the Patient; we have seen the out-stretched arm of the Lord going before us, he that hath delivered will deliver, and whar he calls us to, he will lead us through, if our faith fail not him, his faichfullnes will not fail us, but as he brings us out of Egypt, so he will bring us into Canaan, and establish us there, if our minds fail-giveng, and our faith fail not, as theirs did, for a weak faith makes small things great, and great things invincible both to God and man, every Town's a City, and every City hath walls up to heaven, to the unbelieveing spies, that look through false Spectacles at humaine difficulties, neither well weighing what God hath done, nor considering what he can doe that is Almighty, and already made known to us by his name Jehovah.

I have not so good skill in Astrology as to foretell the events and determinations of Causells before they meete, things

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things may be moved, that its hoped never will be granted; men are wiser together then asunder. God make them honest too; and then I doubt not but these desires will either be put into a better dresse then this Answerer fashiones them in, fairly laid aside, and better things resolved upon in their roome.

I wish we had not so now hardly any punishment, but far from condigne is inflicted on offenders, nor ever will, whilst they have so many friends in the Court of Parliament.

As before in the Propositions that concerned Religion, so here in those concerning the Ministers and their maintenance, I must needs concur with this worthy Answerer. Tithes being in their *im diunum* exploded, their equitable practise is laudably retained as the fittest maintenance for the Minister, whose conversation being *in sacris* should have as little avocations as may be by things of another nature, these best enabling him also both to keepe his family, and doe acts of charity, being no other then as provisyon rents in Colledges, fittest for Schollars and Divines to live upon. Such as thinke Tithes an oppression, thinke preaching a burden, because it stands in the way of liberty of opinion, thinking hereby cunningly to perswade with Countrey people to cast off a lawing ordinance, by a lawing argument, as likeliest to take with the multitude; that to save their parishes will venture their soules, and can be content to buy the losse both of Sermons and Sabbaths at the rate is heere propounded; such Christians would have made bad Israelites. If Tithes be now an oppression, the Priesthood and Leviticall order would then have beeene intollerable; Those that scruple Tithes, I wish they may have liberty of conscience to pay a fifth, seaventh, eighth, or ninth part, which themselves make choice of: I am sorry to see so good Patriots of so depraved judgements, but it is observable, that the most eminent instrumentes, and actions too like the Moone have their spots and fallers; Christs choicest types are recorded for most remarkable falls and failings, as David, Solomon, Jonas, &c. Luther that second Paul, how was he tainted both in pride, and spirit, and error

your of opinion , yea , and pertinacy is error in some things ? yet rare in others : To come downe to our owne times , what men or things have beeeno without their mixtures and changes ? how hath the Parliament it selfe varieed from it selfe , and its first declared principles ? The Ci-ty rose like the Sunne that now sets in a cloud : The Scots , our brethren turned open enemies . but therein they take but after their Godfather that first named them so : What Victory hath been won , that hath not first been lost ? and all this is , *That the excellency of the power may be of God ; and not of men.*

Satan makes great advantage of zeale , when once it is preposterous ; liberty is good , but not licentiousesse , where God allows none , wee must take none : *Davids* zeale cost *Uzzah* his life ; who for hauing to bring the Arke to *Sion* , instead of carrying it upon the Priests shouolders , set it on wheeles , which had like to have cast the Arke it selfe a fall , and did cause *Uzzah* his life to keepe it from falling .

I heartily wish two things : *Viz.* that in all publique transactions men would know what spirits they are of ; and secondly , that others would not thinke it strange to heare or see chaffe to grow up with wheate : It were happy if Ministers would not be so much men , nor men uncall'd so much Ministers : Satan casts firebrands amongst us , and wee foolishly take them up and burne our fingers with them , which if wee let lye would dye many of them . Satan sets some men on worke to oppose truth , and other some to oppose error , that so on both sides the peace of the Church , and the power of godlinesse may go to wrack .

It is observable that the Church of *Ephesus* , who is commended for hating the deeds (that is the opinions and practices) of the *Nicolaianis* is blamed , for she hath left her first love , which probably was cast in amongst that Church by Sa-tan as a baite , to abate their zeale to God , by setting it on fire one against another , for its hard to be warme in opposition and controversie , and not cold in affection ; when once power of Religion consutes in strength of reasoning , (though

(though on truths side) and passion is piety, then flesh goes to spirit, and such an one whilst he thinkes her mounts up hill, goes down it. Those things that move swiftly in their impropers, move slowly in their proper motions, It is observed in France, where they are constrained to infest much on controversy by reason of their cohabitation with Papists, there is not much of the power of godlinesse. God take away the spirit of division from amongst us, least division take away the spirit, and give us wisdom to love mens persons though we hate their opinions; Thou hatest the *deeds* of the *Nicolaians*, which I also hate, God can hate mens works, when yet hee loves their persons, and so must wee. Woe be to them by whom they come, and wo also to them that offend in taking offence, both are naught and destroy godlinesse; both are necessary, and therefore so much opposed by him in these times.

FINIS.

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